

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of S.K., Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

EDITH KIDDER,

Respondent-Appellant,

and

DON BLOXSON,

Respondent.

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UNPUBLISHED

March 18, 2003

No. 244738

Calhoun Circuit Court

Family Division

LC No. 00-003582-NA

Before: Griffin, P.J., and Neff and Gage, JJ.

MEMORANDUM.

Respondent appeals as of right the trial court's order terminating her parental rights to her child pursuant to MCL 712A.19b(3)(c)(i) and (g).<sup>1</sup> We affirm.

We review a trial court's decision to terminate parental rights for clear error. MCR 5.974(I); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999). If the trial court determines that the petitioner has proven by clear and convincing evidence the existence of one or more statutory grounds for termination, the court must terminate parental rights unless it finds from evidence on the whole record that termination is clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 353-354; 612 NW2d 407 (2000). We review the trial court's decision regarding the child's best interests for clear error. *Id.* at 356-357.

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<sup>1</sup> The trial court's order also terminated the parental rights of respondent Don Bloxson, the putative father of S.K. Bloxson has not appealed the order.

The trial court did not clearly err in finding that petitioner established by clear and convincing evidence the existence of one or more statutory grounds for the termination of respondent's parental rights. The child was removed from respondent's custody because respondent failed to provide proper care and custody. Respondent made some attempt to comply with the parent-agency agreement by obtaining employment and housing. She participated in counseling in which parenting skills were discussed. However, respondent's counselor opined that respondent continued to be immature and had not benefited from the counseling and estimated that at a minimum respondent would need services for another year before she could be an appropriate parent to the child. Respondent's foster care worker agreed with the counselor's assessment.

The trial court did not clearly err in finding that termination of respondent's parental rights was warranted on the grounds that the conditions that led to adjudication continued to exist and were unlikely to be rectified within a reasonable time considering the child's age, MCL 712A.19b(3)(c)(i), and that respondent failed to provide proper care or custody for the child and there was no reasonable expectation that she would be able to do so within a reasonable time considering the child's age, MCL 712A.19b(3)(g). The evidence did not establish that termination of respondent's parental rights was clearly not in the child's best interests. MCL 712A.19b(5); *Trejo, supra*.

Affirmed.

/s/ Richard Allen Griffin

/s/ Janet T. Neff

/s/ Hilda R. Gage